

FD-1012 (Rev. 3/04)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
 filed in the U.S. District Court Delaware on the following ☒ Patents or ☐ Trademarks

DOCKET NO. 07cv 137	DATE FILED 3/7/07	U.S. DISTRICT COURT DISTRICT OF DELAWARE
PLAINTIFF Sun Optics Inc.		DEFENDANT FGX International Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 US D525,427 S	7/25/06	Sun Optics Inc.
2 US D527,180 S	8/29/06	Sun Optics Inc.
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGMENT <i>Case Closed 4-15-08 per Stipulation & Joint Motion for dismissal (See Attached)</i>
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CLERK PETER E. DALLO, CLERK OF COURT	(BY) DEPUTY CLERK <i>[Signature]</i>	DATE 4-15-08 March 8, 2007
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SUN OPTICS, INC., a Utah Corporation,

Plaintiff,

v.

FGX INTERNATIONAL, INC., a Delaware
Corporation,

Defendant.

Civil Action No. 1:07cv137 SLR

STIPULATION AND JOINT MOTION FOR DISMISSAL

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DATE: April 11, 2008

Sun Optics, Inc. ("Sun Optics") and FGX International, Inc. ("FGXI") hereby jointly move the Court for an order dismissing all plaintiff's claims with prejudice, and all defendant's counterclaims, without prejudice. The reason for this motion is that the parties have reached an agreement settling all claims and counterclaims raised in this case. A proposed order is filed simultaneously herewith.

Respectfully submitted this 11th day of April, 2008.

By: /s/ R. Eric Hutz (I.D. 2702)

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Plaintiff,

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FGX INTERNATIONAL, INC., a Delaware
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Defendant.

Civil Action No. 1:07cv137 SLR

**[PROPOSED] ORDER GRANTING STIPULATION AND JOINT MOTION FOR
DISMISSAL**

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The Court, having considered the parties' Stipulation and Joint Motion for Dismissal with Prejudice, and for good cause appearing therefore, the Motion is GRANTED. It is hereby ORDERED:

All plaintiff's claims are dismissed with prejudice;

All defendant's counterclaims are dismissed without prejudice;

Each party shall bear its own costs and attorney fees incurred in this action; and

This Court shall retain jurisdiction over this action for purposes of enforcement of the Settlement Agreement between the parties.

DATED this ____ day of April, 2008

BY THE COURT

By:

Hon. Judge Sue L. Robinson
United States District Court Judge